

REMARKS

Claims 1-6 are presently pending in the application.

Various sections of the specification have been amended for clarity and consistency. Claim 1 has been amended to incorporate the subject matter of canceled claim 7. Further, claims 1, 2, 3, and 5 have been amended for clarity, consistency, and to correct antecedent basis. Finally, claim 4 has been amended for consistency and antecedent basis. No new matter has been added by these amendments, and entry is respectfully requested.

The Examiner has rejected claim 4 under 35 U.S.C. § 112, second paragraph, as being indefinite due to insufficient antecedent basis for "the truncated cone ends." In view of the present amendment to delete "the", reconsideration and withdrawal of the § 112 rejection are respectfully requested.

Applicants acknowledge and appreciate the Examiner's indication in the present Office Action that claim 7 has only been objected to as depending on a rejected base claim, but would be allowable if rewritten in independent form. The Examiner acknowledges that the prior art does not teach a process in which the average particle size of the fluidized particles is 30 to 90 μm and the gas superficial speed for fluidization is 0.3 to 1.2 m/s in the dense fluidizing layer forming section and 3 to 30 m/s in the high velocity transfer section.

However, the Examiner has rejected claims 1-6 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 3,409,542 of Molstedt ("Molstedt"). The Examiner argues that Molstedt teaches the claimed process, including the claimed relative dimensions of the diameters and heights of the various sections, the presence of an intermediate section with truncated cone ends connected to the dense fluidizing layer forming section and the upper section, and the truncated cone end having an elevation angle of 40 to 80°, as well as a process in which only one intermediate cylindrical section is provided. The Examiner acknowledges that Molstedt does not teach or suggest a high velocity transferring section. However, the Examiner concludes that it would have been obvious to one having ordinary skill in the art at the time of the invention to utilize a high velocity transferring section in view of the teaching of Molstedt of increasing velocity from the lower dense fluidizing layer forming section to the upper section. Applicants respectfully traverse this rejection as follows.

By the present Amendment, the subject matter from claim 7 has been incorporated into claim 1. Consequently, the rejection of claims 1-6 based on Molstedt is rendered moot, and withdrawal of the § 103(a) rejection is respectfully requested. Additionally, in view of the Examiner's indication that the subject matter of claim 7 is allowable over the prior art, it is respectfully submitted that in view of the preceding Amendments, all of the pending claims are patentably distinct over the prior art of record, in compliance with § 112, and in condition for allowance. A Notice of Allowance is respectfully requested.

Respectfully submitted,

Yoneichi Ikeda et al.

September 28, 2004
(Date)

By:

Sandra M. Katz
SANDRA M. KATZ

Registration No. 51,864

AKIN GUMP STRAUSS HAUER & FELD LLP

One Commerce Square

2005 Market Street, Suite 2200

Philadelphia, PA 19103-7013

Telephone: 215-965-1200

Direct Dial: 215-965-1344

Facsimile: 215-965-1210

E-Mail: skatz@akingump.com

WWS/SMK:smk